

4

Bill read 15 March 1793

R E A S O N S

W H Y T H E

E A U - B R I N K C U T B I L L,

O U G H T N O T T O P A S S I N T O A L A W.

BECAUSE in the opinion of able and skilful Engineers, and others conversant with the Harbour of Lynn, the intended Cut will not only be ineffectual to remedy the evils complained of, but will be productive (among others) of the following train of Injuries and fatal Consequences, viz.

I. That by its immediate effects it will render the harbour of Lynn unsafe for the Ships and Vessels lying at their moorings, or navigating therein.

II. That the violence of the current in the New Cut, will render the Navigation through the same highly dangerous, and in a great measure impracticable for the Gangs of Lighters employed on the River.

III. That in raging Spring-Tides, (which have been known to rise opposite to the Town of Lynn, to the height of twenty feet and upwards, in two hours and an half, and which have occasionally overflowed great part of the Town,) the influx current receiving a sudden check by the contraction of its passage at the mouth of the Cut, will revert and raise an additional head of water, whereby the Town will be subjected to dreadful Inundations, and the Country on either side, to the danger of being laid waste by breaches of the Banks.

IV. That it must be obvious to common observation, that by excluding the Tides from so capacious a Reservoir as the Channel between Lynn and Eau-brink (containing an Area of 1000 Acres) and confining their passage to the narrow dimensions of the Cut, the Indraught of the Tidal Water must be greatly diminished, and the Outfall will necessarily be deprived of a very large proportion of that Back Water, on the Weight and Force whereof, during the Ebbs, its preservation, in the opinion of all Engineers, essentially depends.

V. That the Mouth of the Cut opening at once into so broad a Channel, full of loose shifting Sands extending fifteen miles and upwards to deep water, will be the cause of raising bars of Sand and Silt, which will choak up and destroy the Harbour and Channel to Sea, and obstruct the passage of the waters to their Outfall, whereby not only the trade and commerce of Lynn and the inland Counties must be annihilated, but the Drainage of the Countries described in the Bill will be ruined.

VI. That the Soil of the Land through which the Cut is intended to pass, is found to consist in general of materials incapable of resisting the force of a rapid current, and consequently the Sides as well as the Bottom of the Cut must soon give way, and the Banks be undermined, whereby the Channel of the River must be totally obstructed, and the adjacent Country overflowed.

VII. That if the Cut should succeed, so as to lower the waters in the Rivers above, to the degree its Projectors expect, the Inland Navigations which are now much impeded by the want of sufficient depth of Water, must obviously become impracticable, and it is found by actual survey, that this defect cannot be sufficiently supplied by Sluices.

VIII. That the Cut cannot be executed without injuring, or destroying the rights and private property of many individuals, in cases which from their nature will not admit of any specific adequate compensation.

That

IX. That by the destruction of the Port of Lynn, which is the *fourth* Outport of the kingdom, the Public Revenue it now yields, amounting to about 100,000*l.* per Annum, will be annihilated.

X. That on the principles laid down by the Engineers who recommend the New Cut, it will increase the height of the Spring Tides at Denver Sluice, and, consequently, must keep the doors thereof longer shut; whereby the South Level (containing 120,000 Acres out of 300,000 pretended to be benefited) will in times of Floods (when alone, it is oppressed with water) be exposed to additional danger of Inundations by breach of Banks, and the Drainage thereof will be in other respects greatly injured; and accordingly the Bulk of the Owners and Occupiers in that Level, conceive they shall be seriously aggrieved by the Bill.

XI. That a large proportion of the Proprietors of Marshland, and nearly all the Proprietors of Land on the East side of the Ouse, oppose the Cut; apprehending that their Estates (now sufficiently drained) will be much injured, and exposed to Inundations thereby.

XII. That the Bill proposes an equal Acre Tax upon all the Lands therein described, and a Tonnage on the Navigations, to defray the expence of a work, by which all the Navigations, and a great part of the Lands, will be so much injured, and which, if really *necessary* to drain the Fens, or *preserve* the Navigations, ought to be done by, and at the cost of, the Bedford Level Corporation, who hold 95,000 Acres of Land, the Revenues whereof they are bound by Act of Parliament to apply for those purposes.

These are surely evils and wrongs of a nature deserving very serious consideration, before Parliament shall give its sanction to a measure capable of producing them.

Of an untried Experiment, so peculiar in its nature, dependent on such a combination of undefined powers and circumstances, and so extensive in its operation, no man (without destroying his title to credit) can pretend to any certain knowledge of all the consequences, or will venture to affirm it to be *free from hazard*. Whatever judgment is now formed of its effects, can rest on no better basis than *opinion*, or *probable conjecture*. Able Engineers have, at different periods, (long before the birth of the present Contest) given their opinions on this project, and those of the first-rate character have not only condemned it, but have pointed out other practicable measures, as the only effectual means of draining the Fens, and improving the Navigations. The Engineers employed by the Promoters of the Bill, are the *first* who have ventured to affirm, that the Cut *alone* will be effectual for those Purposes.

On the other hand, the Reports of Mess. Hodgkinson and Nickalls, Engineers of established reputation, contain observations and arguments approaching as near to demonstration as the nature of the Case will admit; shewing its extreme danger and pernicious tendency with respect to Drainage, as well as Navigation; and it is now an undisputed Fact, that the present ill state of both has arisen from the *alterations*, made by former Projectors, in the *natural* course of the Rivers, by *strait Cuts and Sluices*.

The Question for the consideration of Parliament is, Whether Property and Interests of such immense value to the community, as well as to individuals, are to be risked upon the issue of a speculative experiment, concerning the event of which there exists such a contrariety of opinion?

Will Parliament assume a right to sacrifice the Property and hazard the Existence of one class of Individuals, for the *Chance* of meliorating the Estates of another class? If so, Private Property will lose that Security, which forms its best value and source of enjoyment to the subjects of this Country.

In a Case on which Men of Science maintain such opposite opinions, what Course are unskilled Judges to take?—The side to which Wisdom, Prudence, Justice,



Justice, obviously point, is that on which *Safety* lies.—By rejecting a Project so imperfectly understood, no real Mischief can be done; but Mischief beyond computation may ensue from its precipitate adoption. In the one case, it is at the utmost only *not* making *better* what is confessed to be *bad*; in the other, that which is now *good* and *certain* may be made *good for nothing*.

The Principle on which alone the scheme can be now sanctioned, is no other than that of a Gamester, who risks what he *has* for the Chance of gaining what he *has not*—with this difference—that he *voluntarily* stakes his *own* property; whereas the player in this case stakes the property of *others*, *against their Consent*.

The present rejection of the Bill does not preclude its future resumption, if time, dispassionate enquiry, and the aid of other skilful Engineers, should convince all parties of its utility: The attention of all has been awakened to objects, in which they cannot but feel, and know, they have a common interest; there is but little difference of opinion about the Disease, the Parties only differ about the Remedy. It is therefore more than probable, that a season of delay may produce, what all must wish, who wish well to their Country,—*an effectual Plan for the Improvement of Drainage and Navigation, in the promotion whereof, the Commercial and Landed Interests will cordially unite their Powers*; nor will those who have the carriage of this Bill, have any just cause to complain of its present rejection; because, before the Bill was applied for, they were publicly and earnestly *intreated*, to postpone the Application till the next Session of Parliament, for the declared purpose of giving time for bringing about such a *general Conciliation* as is above suggested; but relying on the strength of their connexions and Influence, (though every thinking Man's conscience must recoil, at the idea of carrying through *such* a Measure, by *such* means) they refuse to listen to so just and reasonable a Proposition.

If the Scheme is really capable of producing the beneficial consequences ascribed to it by its sanguine Promoters, the Merchants of Lynn have obviously a deeper interest to promote it, than any other set of Individuals; there can therefore be no doubt of the Purity and sincerity of the Motives which impell them to oppose it. Illiberal and absurd Insinuations have been thrown out to the contrary, which reflect no Credit on the Understandings or Characters of those from whom they proceed, and dishonour the Cause they weakly hope by such low artifices to serve.

The few Remarks here submitted cannot be more emphatically closed, than by the following Extract, from the authentic and Interesting History of Bedford Level, by that able Engineer and ingenious man the late Mr. Elstob, just published; a perusal whereof, will furnish much useful and essential information on this subject, viz. in Page 222, he says,

“ As all human Persons are subject to Errors, and the Mistakes of others may teach Wisdom to ourselves, I must humbly conceive, that a useful Lesson or two may be learnt from those Proceedings.”

“ The first is, that in such expensive, great, and important Works, every Scheme and every Project should be well weighed, and maturely and thoroughly considered in all lights, relations, and circumstances, before it is perfectly adopted and carried into execution; and, as Nature acts upon the principles of Wisdom and Reason, and as all People do not view the same subjects in the same light, and scarce any Person can view such subjects as are of importance, in all the various relations which they may stand in to others, it must therefore be the most safe, and the most prudent method, *not to be strongly attached to the sentiments or opinions of any one Person*, however judicious; but to collect, weigh and compare *the sentiments of such others* as may have thought upon, or considered the subject, with the greatest deliberation.”

“ The

Vide the Re-
ports of Mess.
Hodkinson
and Nicholls,
as to such Ef-
fects which
the proposed
Cut will ne-
cessarily occa-
sion.

" The second is, that as it appears by the above recited relations, how pro-
" digiously pernicious and prejudicial the setting down of that Sluice, (mean-
" ing *Denver Sluice*) in a Tide Way so as to stop the Waters in their In-
" flux from the extensive Receptacles which they used to fill so many certain times
" in the space of a Year, and thereby robbing the Outfall of the great and repeated
" force and weight of the Ebbs produced by those in-draughts was, both to the
" Drainage and Navigation of this large River and Outfall."
" Therefore, no such Sluices, Dams, or Stoppages, ought to be put or set
" up in the Tide-ways, especially of any Rivers under the like circumstances,
" and immediately communicating with the Ocean."

Mr. Mylner L. NN
New River Head
Islington
London



PASS INTO A LAW.

OUGH NOT TO

EAU-BRINK CUT BILL,

REASONS

Received by Book
29th Mar. 1843.
Will come out on 27th

